



March 19, 2023

Hon. Katherine Polk Failla
 United States District Judge
 Southern District of New York
 Thurgood Marshall United States Courthouse
 40 Foley Square
 New York, New York 10007

MEMO ENDORSED

Re: *United States v. Michael Brown*, Case No. 1:20-00524
Unopposed Motion to Modify Bond

Dear Judge Failla:

This is to request that the Court enter an order modifying the Bond as to Michael Brown allowing Mr Brown to attend medical care and work related appointments during a curfew period to be set at the Pretrial Services' discretion, likely 7:00 a.m to 7:00 p.m. or 8:00 a.m. to 8:00 pm. The change in bond condition was recommended by Ms. Teel, the assigned Probation Officer in the Western District of North Carolina. Mr. Ravi indicated that the United States Attorney defers to the Pretrial Services recommendation.

Mr. Brown sustained injury to his shoulder, neck and upper back, as confirmed by a chiropractor and a board certified internist. **Exhibits 1, 2.** Both made recommendations for treatment and daily work out at a local gym to treat the problem. Ms. Teel indicated that she had talked and coordinated with Ms. DeFeo, the probation office in the Southern District of New York. The thrust of my discussions with Ms. Teel were threefold: (1) Ms. Teel supports a modification of the bond to require a curfew for Mr Brown to be designated at the discretion of the Probation Office (leaving discretion so that the order does not have to be modified every time there is a need for change); (2) modifying the bail to have Mr. Brown pay the \$139 per month to the monitoring service; and (3) accomodating Mr. Brown's need for intensive medical treatment for injury to his shoulder, neck and upper back, as attested to by a board-certified internist and a Webster-certified chiropractor and (4) to attend a daytime meeting with his Sales Manager.

As a practical matter, the modification will eliminate the need for Mr. Brown to specifically make a written request 24 hours prior to each doctor appointment, plus every weekday following his doctors recommendations, or before he goes to church or to attend the one business meeting planned in his local area with his Sales Manager at "Company Z." Of course,

Mr. Brown will still be limited to the W.D.N.C., have his GPS tracker with a curfew, be available by phone at all times and must comply with his curfew, which will be strictly enforced.

The Probation Office did not make this proposal lightly, and obviously believes that a curfew is appropriate under the circumstances of this case.

We stand ready to provide the Court with further information if needed.

Very truly yours,

/s/ Stephen R. Cochell
Stephen R. Cochell

cc. Courtney DeFeo
Courtney_DeFeo@nyspt.uscourts.gov
Sherain Teel
Sherain_Teel@ncwp.uscourts.gov
Sagar Ravi
sagar.ravi@usdoj.gov

Application GRANTED. Defendant's bond is modified in line with the above proposal.

The Clerk of Court is directed to terminate the pending motions at docket entries 51 and 53.

Dated: March 21, 2023
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE